



## **PCT**

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

OB UEC 2004

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)							
International application No.	International filing date (day/mon							
PCT/FR2003/001701	06 juin 2003 (06.06.20	03) 06 juin 2002 (06.06.2002)						
International Patent Classification (IPC) or national classification and IPC B05B 1/34								
Applicant REXAM DISPENSING SYSTEMS								
<ol> <li>This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</li> </ol>								
<ol><li>This REPORT consists of a total of</li></ol>	5 sheets, including	this cover sheet.						
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).								
These annexes consist of a to	tal of sheets.							
3. This report contains indications rela	3. This report contains indications relating to the following items:							
I Basis of the report	·							
II Priority								
III Non-establishment	of opinion with regard to novelty,	inventive step and industrial applicability						
IV Lack of unity of in	vention							
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
VI Certain documents cited								
VII Certain defects in	VII Certain defects in the international application							
VIII Certain observations on the international application								
Date of submission of the demand	Date of c	completion of this report						
23 décembre 2003 (23.	12.2003)	15 September 2004 (15.09.2004)						
Name and mailing address of the IPEA/EI	Authoriz	Authorized officer						
Facsimile No.	Telepho	Telephone No.						

Translation



#### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

## PCT/FR2003/001701

I. E	3asis (	of the re	port	
1. \	With	_	the elements of the international application:*	
[		the inter	rmational application as originally filed	
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		pages		filed with the demand
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	the in	nternation	to the language, all the elements marked above were available or furnished to this Authority in nal application was filed, unless otherwise indicated under this item.	
	These	e element	ats were available or furnished to this Authority in the following language	which is:
		-	guage of a translation furnished for the purposes of international search (under Rule 23.1(b)).	
			guage of publication of the international application (under Rule 48.3(b)).	
		the lan	nguage of the translation furnished for the purposes of international preliminary examination (3).	(under Rule 55.2 and/
3.	With prelin	regard minary ex	to any nucleotide and/or amino acid sequence disclosed in the international applicate examination was carried out on the basis of the sequence listing:	ion, the international
		contain	ned in the international application in written form.	
			ogether with the international application in computer readable form.	
1			ned subsequently to this Authority in written form.	
1			ned subsequently to this Authority in computer readable form.	
			tatement that the subsequently furnished written sequence listing does not go beyond tational application as filed has been furnished.	the disclosure in the
		The sta	tatement that the information recorded in computer readable form is identical to the written turnished.	sequence listing has
1	$\Box$	The co	nendments have resulted in the cancellation of:	
4.	ئے			
			the description, pages the claims, Nos	
]			the drawings, sheets/fig	
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5.		This rep	port has been established as if (some of) the amendments had not been made, since they have the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**	peen considered to go
	in th and 7	his report 70.17).	sheets which have been furnished to the receiving Office in response to an invitation under Art tas "originally filed" and are not annexed to this report since they do not contain and	endments (Rule 70.16
			nent sheet containing such amendments must be referred to under item 1 and annexed to this rep	ort.



#### INTERNATIONAL PRELIVINARY EXAMINATION REPORT

Internal application No.
PCT/FR 03/01701

NO

V.	Reasoned statement under Article 35 citations and explanations supportin	5(2) with regard to novelt g such statement	y, inventive step or industrial applica	bility;
1.	Statement			
	Novelty (N)	Claims	3-6, 8-15	YES
		Claims	1, 2, 7	NO
	Inventive step (IS)	— Claims	3-6, 8-15	YES
	inventive step (10)	Claims		NO
	Industrial applicability (IA)	Claims	1-15	YES
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2. Citations and explanations

Reference is made to the following documents:

Claims

D1: EP-A-0 534 088 (ELETTRO PLASTICA SPA)
31 March 1993 (1993-03-31).

Document D1 describes (the references between 1.1 parentheses apply to said document) a nozzle for spraying a product, including a cylindro-conical body (1) with an axial channel (17) of which the first end (12) is defined by a transverse wall (7) with a spraying port (8) and the second end (4) is capable of communicating with a vessel, which nozzle further includes an axial core (9, 10) positioned inside said channel (17) and having a first end (12) located opposite said transverse wall (7) and defining, with said wall, a spraying chamber, and a second end (4) located adjacent to the second end of said channel, wherein a means for communication between said second end and said spraying chamber is provided between said core (9) and said wall (3) of said channel (17), and wherein said core (9) has means consisting of an attachment flange (15) with an attachment edge facing the second end of said core (9, 10) and engageable with said wall (3) of

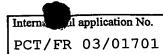
said channel (17) in order to retain said core inside said channel (cf. column 3, lines 9-32).

- 1.2 It follows that the subject matter of claim 1 is not novel and the requirement of PCT Article 33(2) is, therefore, not met.
- 2. Dependent claims 2 and 7 do not contain any features which, in combination with the features of any one of the claims to which they refer, might define subject matter that fulfils the PCT requirement of novelty (PCT Article 33(2)) because all of the features added by these claims are known and used with a corresponding effect and/or are considered to be a slight modification routinely carried out by a person skilled in the art. The reasons for which the claims do not fulfil the requirement of this PCT article are indicated below:
  - Claims 2 and 7: see D1, column 3, lines 9-32, and figure 1.
- 3. Claims 3-6 and 8-15 are dependent on claim 1 and fulfil the PCT requirements of novelty and inventive step because the features in these dependent claims are not mentioned in their entirety in any one of the documents in the search report or the description.

# Certain observations on the international application

4. Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not indicate the relevant prior





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